

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9398 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

ILABEN M PATEL

Versus

REGIONAL PASSPORT OFFICER

Appearance:

MR RAJESH K DESAI for Petitioner

MS DAVAWALA for Respondent

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 06/09/2000

ORAL JUDGEMENT

Rule. Ms.Davawala, Learned Additional Central
Government Standing Counsel waives service of rule for
respondent.

2. In this petition, under Article-226 of the

Constitution, the petitioner has prayed for a writ directing the Regional Passport Officer, Ahmedabad to correct the date of birth of the petitioner from 18/08/1963 to 18.08.1964. While applying for the passport, the petitioner had earlier relied on the birth date as recorded in her School Leaving Certificate which was shown as 18/08/1963 (at Annexure-B to the petition). The learned counsel for the petitioner states that when the petitioner applied for a Visa call for going to the U.S.A., the petitioner was required to produce the Birth Certificate. On getting birth certificate, the petitioner noticed that the birth date recorded in the Birth Certificate issued by the Visnagar Nagar Panchayat, Visnagar was 18/08/1964. Hence, the petitioner applied to the respondent-Authority for correction in the birth date. Since the application is not considered, the petitioner has filed this petition.

3. Having heard the learned counsel for the petitioner and Ms.Davawala, learned Additional Central Government Standing Counsel for the respondent, this petition is disposed of with the direction to the respondent Authority to consider the petitioner's application for correction of birth date in the passport on the basis of such material which may be produced before the respondent-Authority more particularly the aforesaid birth date Certificate issued by the Visnagar Municipality (at Annexure-A) and to decide the same as expeditiously as possible and in any case within one month the date of receipt of the writ of this Court or a certified copy of this order whichever earlier.

4. In case the petitioner is required to apply for a fresh passport, the petitioner shall comply with the requisite formalities for the same.

5. Rule is made absolute to the aforesaid extent.

Since the respondent is not responsible for the mistake in question, the petitioner shall pay costs of this petition which are quantified at Rs.1,000/- to the respondent within two weeks from today. Direct service is permitted.

(M. S. Shah, J.)

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